

11-6-2000

LEGALIZED GAMBLING. INITIATIVE CONSTITUTIONAL AMENDMENT.

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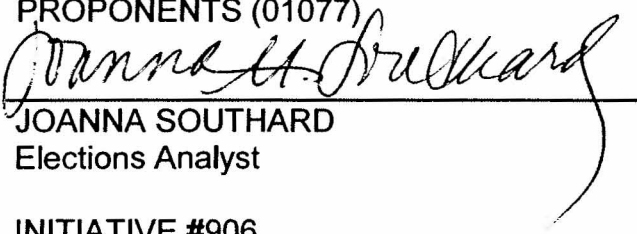
BILL JONES
Secretary of State
State of California

ELECTIONS DIVISION

(916) 657-2166
1500 - 11th STREET
SACRAMENTO, CA 95814
Voter Registration Hotline
1-800-345-VOTE
For Hearing and Speech Impaired
Only
1-800-833-8683
e-mail: comments@ss.ca.gov

April 18, 2001

TO: ALL COUNTY CLERKS/REGISTRARS OF VOTERS AND
PROPOSERS (01077)

FROM: 
JOANNA SOUTHARD
Elections Analyst

SUBJECT: INITIATIVE #906

Pursuant to Elections Code section 9030(b), you are hereby notified that the total number of signatures to the hereinafter named proposed INITIATIVE CONSTITUTIONAL AMENDMENT with all county elections officials is less than 100 percent of the number of qualified voters required to find the petition sufficient; therefore, the petition has **failed**.

TITLE: LEGALIZED GAMBLING.

SUMMARY DATE: November 6, 2000

PROPOSER: Robert W. Wilson



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Archives
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Elections
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Joint Partnership
Management Services
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Political Reform
Uniform Commercial Code



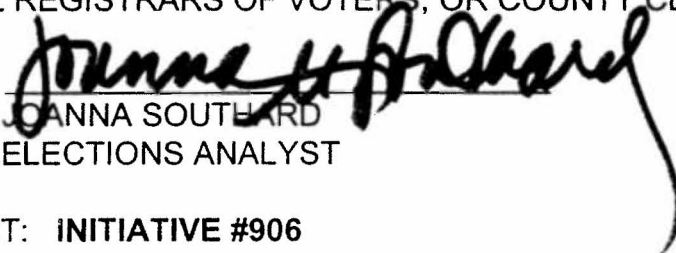
BILL JONES
Secretary of State
State of California

November 6, 2000

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TO: ALL REGISTRARS OF VOTERS, OR COUNTY CLERKS, AND PROPONENTS (00300)

FROM:


JOANNA SOUTHARD
ELECTIONS ANALYST

SUBJECT: **INITIATIVE #906**

Pursuant to Elections Code section 336, we transmit herewith a copy of the Title and Summary prepared by the Attorney General on a proposed initiative measure entitled:

**LEGALIZED GAMBLING.
INITIATIVE CONSTITUTIONAL AMENDMENT.**

The proponent of the above-named measure is:

Robert W. Wilson
11684 Ventura Blvd. 322
Studio City, CA 91604
(323) 878-0535

RECEIVED

NOV 06 2000

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#906
LEGALIZED GAMBLING.
INITIATIVE CONSTITUTIONAL AMENDMENT.

CIRCULATING AND FILING SCHEDULE

1. Minimum number of signatures required: 670,816
California Constitution, Article II, Section 8(b)
2. Official Summary Date:..... Monday, 11/06/00
Elections Code section (EC§) 336
3. Petitions Sections:
 - a. First day Proponent can circulate Sections for
signatures (EC §336) Monday, 11/06/00
 - b. Last day Proponent can circulate and file
with the county. All sections are to be filed at the
same time within each county (EC §336, 9030(a)) Thursday, 04/05/01
 - c. Last day for county to determine total number of
signatures affixed to petitions and to transmit total
to the Secretary of State (EC §9030(b))..... Tuesday, 04/17/01

(If the Proponent files the petition with the county on a date prior to 04/05/01,
the county has eight working days from the filing of the petition to determine the
total number of signatures affixed to the petition and to transmit the total to the
Secretary of State) (EC §9030(b)).
 - d. Secretary of State determines whether the total number
of signatures filed with all county clerks/registrars of
voters meets the minimum number of required signatures,
and notifies the counties (EC §9030(c)) Thursday, 04/26/01*
 - e. Last day for county to determine total number of qualified
voters who signed the petition, and to transmit certificate
with a blank copy of the petition to the Secretary of State
(EC §9030(d)(e)) Friday, 06/08/01

* Date varies based on receipt of county certification.



INITIATIVE #906

Circulating and Filing Schedule continued:

(If the Secretary of State notifies the county to determine the number of qualified voters who signed the petition on a date other than 04/26/01, the last day is no later than the thirtieth day after the county's receipt of notification). (EC §9030(d)(e)).

- f. If the signature count is more than 737,898 or less than 637,275 then the Secretary of State certifies the petition as qualified or failed, and notifies the counties. If the signature count is between 637,275 and 737,898 inclusive, then the Secretary of State notifies the counties using the random sampling technique to determine the validity of **all** signatures (EC §9030(f)(g); 9031(a)) Monday, 06/18/01*
- g. Last day for county to determine actual number of all qualified voters who signed the petition, and to transmit certificate with a blank copy of the petition to the Secretary of State. (EC §9031(b)(c)). Tuesday, 07/31/01

(If the Secretary of State notifies the county to determine the number of qualified voters who have signed the petition on a date other than 06/18/01, the last day is no later than the thirtieth working day after the county's receipt of notification) (EC §9031(b)(c)).

- h. Secretary of State certifies whether the petition has been signed by the number of qualified voters required to declare the petition sufficient (EC §9031(d); 9033)..... Saturday, 08/04/01*

* Date varies based on receipt of county certification.



IMPORTANT POINTS

- California law prohibits the use of signatures, names and addresses gathered on initiative petitions for any purpose other than to qualify the initiative measure for the ballot. This means that the petitions cannot be used to create or add to mailing lists or similar lists for any purpose, including fundraising or requests for support. Any such misuses constitutes a crime under California law. Elections Code section 18650; *Bilofsky v. Deukmejian* (1981) 123 Cal. App. 3d 825, 177 Cal. Rptr. 621; 63 Ops. Cal. Atty. Gen. 37 (1980).
- Please refer to Elections Code sections 100,101,104,9001, 9008, 9009, 9021, and 9022 for appropriate format and type consideration in printing, typing and otherwise preparing your initiative petition for circulation and signatures. Please send a copy of the petition after you have it printed. This copy is not for our review or approval, but to supplement our file.
- Your attention is directed to the campaign disclosure requirements of the **Political Reform Act of 1974**, Government Code section 81000 et seq. A brief summary is attached for your reference.
- When writing or calling state or county elections officials, provide the official title of the initiative which was prepared by the Attorney General. Use of this title will assist elections officials in referencing the proper file.
- When a petition is presented to the county elections official for filing by someone other than the proponent, the required authorization shall include the name or names of the persons filing the petition.
- When filing the petition with the county elections official, please provide a blank petition for elections official use.

Enclosures



BILL LOCKYER
Attorney General

State of California
DEPARTMENT OF JUSTICE



1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

Public: (916) 445-9555

Facsimile: (916) 324-8835
(916) 324-5490

November 6, 2000

FILED
In the office of the Secretary of State
of the State of California

NOV 06 2000

Bill Jones
Secretary of State
1500 - 11th Street, 5th Floor
Sacramento, California 95814

BILL JONES, Secretary of State
By *[Signature]*
Deputy Secretary of State

RE: Initiative Title and Summary
SUBJECT: LEGALIZED GAMBLING. INITIATIVE CONSTITUTIONAL AMENDMENT.
FILE NO: SA2000RF0025

Dear Mr. Jones:

Pursuant to the provisions of sections 9004 and 336 of the Elections Code, you are hereby notified that on this day we mailed our title and summary to the proponent of the above-identified proposed initiative.

Enclosed is a copy of our transmittal letter to the proponent, a copy of our title and summary, a declaration of service thereof, and a copy of the proposed measure.

According to information available in our records, the name and address of the proponent is as stated on the declaration of service.

Sincerely,

[Signature: Tricia Knight]
TRICIA KNIGHT
Initiative Coordinator

For **BILL LOCKYER**
Attorney General

TK:cw
Enclosures



Date: November 6, 2000
File No.: SA2000RF0025

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

LEGALIZED GAMBLING. INITIATIVE CONSTITUTIONAL AMENDMENT. Amends Constitution to legalize Las Vegas and Atlantic City style gambling. Directs Legislature to pass all laws reasonably necessary to provide option to cities and counties, and if approved by local election, to allow such gaming. Permits gambling presently prohibited by the Constitution, including sports wagering, dice games, slot machines, and banking and percentage games played with cards, dice or any device for money, credit or other representations of value. Creates a three-member state commission to supervise gaming and all persons or things having to do with the operation of gaming within the state. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: This initiative would result in increased state and local tax revenues - potentially in the hundreds of millions of dollars annually.



SA2000 RF0025

Robert W. Wilson
11684 Ventura Blvd. 322
Studio City, California 91604
Phone 323-878-0535

RECEIVED

September 06, 2000

SEP 14 2000

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Attorney General
State of California
Elections Division
1500-11th Street
Post Office Box 944260
Sacramento, California 94244-2600

RE: SUMMARY AND TITLE OF CONSTITUTIONAL AMEDEMMENT

Dear Attorney: General

Robert W. Wilson, as proponent, submits the attached initiative proposing an amendment to the California Constitution.

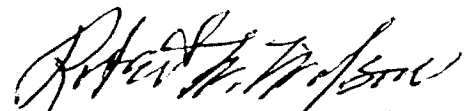
Subject: Gaming

I Request that you prepare a summary and title of said initiative in accordance with the provision of the election code.

Enclosed is a \$200.00 certified money as required.

Thank you for your courtesy and cooperation in this matter.

Very truly yours,


ROBERT W. WILSON



We, the undersigned registered and qualified electors of California, residents of _____ County, hereby propose an amendment to the Constitution of the State of California a new Article and Subsection within Article IV, Section 19 of said Constitution relating to the People's Gaming Act and petition the Secretary of State to submit the same to the electors of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to the general election or otherwise provided by law. The proposed constitutional amendment, (full title and text of the measure) reads as follows:

AMENDMENT TO ARTICLE IV, SECTION 19, SUBSECTION TO BE APPROPRIATELY NUMBERED ACCORDING TO ALPHABETICAL OR NUMERICAL PROGRESSION, TITLED "THE PEOPLE'S GAMING ACT".

SECTION 1. The purpose of this article is to legalize Las Vegas and Atlantic City style gambling as defined in the Constitution of the State of California, and further defined in California Penal Code, Chapter 10, Sections 330, 330(a), 330(b), 330(c), 330.1, 330.4 and 337(a), and directing the California Legislature to pass all laws reasonably necessary to implement the legalization of such gaming as presently proscribed, and to pass all laws reasonably necessary to provide local option to Counties within the state with respect to unincorporated areas within said counties and to Cities within said counties with respect to the incorporated areas of said cities as to whether the Peoples Gaming Act shall become operative in said political districts by providing that the matter be placed on the ballot at a designated county or city election and determined by a majority of city council or electors voting affirmatively or negatively.

The reason why this article is necessary is found in the passage of a constitutional amendment relating to "Indian Gaming" which was sponsored by the Governor and the State Legislature together with a select group of Indian tribes on so called Indian lands which was passed by the vote of the people under the assumption that the elected officials of the people were acting independently in the best interests of the people and that the Indian tribes were truly in need of such a monopolistic windfall. While the truth is that the elected officials were the recipients of enormous political contributions which have been well publicized in the press, and at least one tribe composed of some thirteen members located in Palm Springs and Rancho Mirage is spending hundreds of millions of dollars in partnership with out of state, non-Indian people who presently are engaged in Las Vegas/Atlantic City type gaming to build gambling casinos in those urban areas. Other tribes have announced similar ventures with outside interest. All of this is being done without any state government supervision or any obligation to pay state taxes. There are presently many forms of legalized gaming in California, horseracing, the lottery and card rooms, just to name a few, all of which pay state taxes and employ thousands of Californians, yet neither these entities, nor any other California citizen has the rights, under existing law, which has been given to the Indians. The federal law was to the effect that Indians were entitled to the same rights as are afforded to the citizens of the State of California. This constitutional amendment levels the playing field to grant citizens of the State of California, at least, the same rights that have already been given to the Indians to the disadvantage of the California taxpayer and makes provisions for governmental regulation of those engaged in such activities



SECTION II. The California Legislature shall provide for the regulation of Gaming as defined in Penal Code, Chapter 10, Section 330, 330(a), 330(b), 330(c), 330.1, 330.4 and 337(a).

SECTION III. This Article shall be cited and known as the PEOPLE'S GAMING ACT and all reference to it shall be the same.

SECTION IV. Recognizing the mandate of the people, The Legislature shall pass all laws reasonably necessary to implement the legalization and conducting of gaming as presently prescribed by State Penal Code, Chapter 10, Sections 330, 330(a), 330(b), 330(c), 330.1, 330.4 and 337(a) including Betting on Sporting Events, Slot Machines, Card Dice, Dice, Punchboard, Pool Selling, Faro, Monte, Roulette, Lansquenet, Rouge et Noire, Rondo, Tan, Fan-Tan, Stud-Horse, Piker, Seven-and-a-Half, twenty-one, Hokey-Pokey, or any banking or percentage game played with cards, dice or any device for money, checks, credit or other representations of value, and shall pass all laws reasonably necessary to provide local option to counties within the state with respect to unincorporated areas within said counties and to cities within said counties with respect to the incorporated areas of said cities as to whether the People's gaming Act shall become operative in said political districts by providing that the matter be placed on the ballot at a designated county or city election and determined by a majority of city council or electors voting affirmatively or negatively.

SECTION V. Jurisdiction and supervision over Gaming in this State and over all persons or things having to do with the operation of Gaming is vested in the People's Gaming Act Commission. The People's Gaming Act commission shall consist of three members to be appointed by the governor. Each member shall be been a resident of this State for Four years prior to the date of appointment. Each member shall hold office for a term of four years. Any vacancy shall be filled by the governor for the remainder of the term.

SECTION VI. The Governor may remove any People's Gaming Act Commission member for cause upon first giving them a copy of the charges against him and an opportunity to be heard. The members of the People's Gaming Act Commission shall elect one of its members as a chairman. The People's Gaming Act Commission shall appoint such employees as may be necessary to carry out the provisions of this law.

SECTION VII. The salaries of the People's Gaming Act Commission members, the Secretary, other employees, and all other necessary expenses to carry out the Gaming Measure shall be paid monthly out of the California State General Fund by the State Treasurer on the warrant of the State controller and the Certification of the Chairman of the People's Gaming Act Commission. The Peoples' Gaming Act Commission shall establish and maintain a general office for the transaction of its business at a place to be determined by it. The People's Gaming Act Commission may hold meetings at any other place when the convenience of the members of the People's Gaming Act Commission requires.

All meetings of the People's Gaming Act Commission shall be open to the public and all persons shall be permitted to attend any meeting of the People's Gaming Act Commission.



A majority of the People's Gaming Act Commission constitutes a quorum for the transaction of its business or the exercise of any of its powers. The Secretary shall keep a full and true record of all proceedings, books, documents, and papers of the board, prepare for service such notices and other papers as may be required by the People's Gaming Act Commission and perform such other duties as the People's Gaming Act Commission may prescribe.

All records of the People's Gaming Act Commission shall be open to inspection by the public during regular business hours.

The Legislature shall give the People's Gaming Act Commission all powers necessary and proper to enable it to carry out fully and effectively the purpose of this law.

SECTION VII. All provisions of the Constitution of the State of California and the laws of the State of California in conflict with or inconsistent with the provisions hereof are hereby repealed. If any portion, section or clause of this Article shall be declared unconstitutional or invalid, such declaration or adjudication shall not affect the remainder of this Article.

SECTION IX. The Legislature shall pass all laws necessary to effect operation of this Measure. It shall take effect five days after the date of the official declaration of the vote by the Secretary of State and become operative upon the first day of the first month after the date of the official declaration of the vote.

SECTION X. The provisions of this Article are self-executing.

